

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PROMEDEV, LLC,

Plaintiff,

v.

ROBY WILSON, et al.,

Defendants.

CASE NO. C22-1063JLR

MINUTE ORDER

The following minute order is made by the direction of the court, the Honorable
James L. Robart:

Before the court is Plaintiff Promedev, LLC's ("Promedev") motion to dismiss
several of Defendant MaXXiMedia Advertising Co.'s ("MaXXiMedia") amended
counterclaims and to strike certain allegations in MaXXiMedia's amended counterclaim.
(Mot. (Dkt. # 26).) Promedev incorrectly identifies the allegations it seeks to strike by
citing paragraphs in MaXXiMedia's original counterclaim instead of in MaXXiMedia's
amended counterclaim. (*See id.* at 16 (indicating intent to strike allegations in support of

1 MaXXiMedia's amended counterclaim for copyright infringement), 29 (citing paragraphs
2 in MaXXiMedia's original counterclaim unrelated to copyright infringement in support
3 of its motion to strike).¹) In its response, MaXXiMedia argues against striking the
4 paragraphs Promedev identifies in MaXXiMedia's original counterclaim that are largely
5 unrelated to MaXXiMedia's amended counterclaim for copyright infringement. (*See*
6 *Resp. (Dkt. # 29)* at 15-19.) Promedev acknowledges its error in its reply. (*Reply* at 11
7 n.3.)

8 The court ORDERS MaXXiMedia to file supplemental briefing, responding to
9 Promedev's motion to strike paragraphs 42-48 and 55-61 of MaXXiMedia's amended
10 counterclaim. MaXXiMedia's supplemental briefing must be filed no later than February
11 15, 2023 and may not exceed 2,000 words. Promedev may respond to MaXXiMedia's
12 supplemental briefing no later than February 17, 2023, if at all. Promedev's brief, if any,
13 may not exceed 1,000 words.

14 Filed and entered this 9th day of February, 2023.

15 RAVI SUBRAMANIAN
16 Clerk of Court

17 s/ Ashleigh Drecktrah
18 Deputy Clerk
19
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21 ¹ Other than citing the incorrect paragraph numbers, Promedev's motion to strike
22 addresses the allegations related to MaXXiMedia's amended counterclaim for copyright
infringement. (*See id.* at 29-30; *Reply (Dkt. # 30)* at 11-12.)